

**EXHIBIT A – FINDINGS**  
**Tognazzini DRC2015-00065**

***CEQA Exemption***

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because it involves the construction of new small structures, on an existing lot, within an Agriculture zoned area that is not suitable for an agricultural use. No measures beyond those required by the County's ordinances are necessary to address the potential impacts from the proposed project.

***Minor Use Permit/Coastal Development Permit***

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the proposed residential accessory structures are allowed in the Agriculture land use category and, as conditioned, are consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code. The proposed project is consistent with Section 23.040.050(a), Siting of Structures in the Agriculture Land Use Category, because project site is not located on prime soils and cannot feasibly be used for irrigated agriculture due to its limited site area. There are no existing agricultural uses immediately adjacent to the site, and no adverse impacts to adjacent agricultural uses are anticipated with the project.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the construction of the replacement garage, porch additions and fence addition does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the replacement garage, porch additions, and fence addition, are similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on San Bernardo Creek Road, a local road constructed to a level able to handle any additional traffic associated with the project.

***Sensitive Resource Area***

- G. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design because the proposed detached garage would be sited in a previously disturbed area, would be setback as far from the riparian vegetation as possible without encroaching into the front setback, and would not require the removal of any riparian vegetation.

- H. As designed, natural features and topography have been considered in the design and siting of all proposed physical improvements.
- I. The proposed clearing of topsoil and trees is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
- J. The soil and subsoil conditions are suitable for any proposed excavation and site preparation, and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff. To ensure compliance, the project has been conditioned to submit a drainage plan to Public Works at time of application for building permits.

***Streams and Riparian Vegetation***

- K. There will be no significant negative impact on the identified sensitive habitat, and the proposed use will be consistent with the biological continuance of the habitat as the proposed detached garage would be sited in a previously disturbed area, would be setback as far from the riparian vegetation as possible without encroaching into the front setback, and would not require the removal of any riparian vegetation. Conditions of approval requiring a drainage and erosion control plan, identification of a project limit area, and a landscape/revegetation plan will minimize and avoid impacts to the riparian habitat area.
- L. The proposed use will not significantly disrupt the habitat as the proposed detached garage would be sited in a previously disturbed area, would be setback as far from the riparian vegetation as possible without encroaching into the front setback, and would not require the removal of any riparian vegetation.

***Adjustments***

- M. Adjustment of the side setback standard required by Coastal Zone Land Use Ordinance Section 23.04.190(c) to allow for a 5 foot side setback is justified because Cal Fire approved the request and because the proposed garage will include fire sprinklers as mitigation for the reduced setback.
- N. Adjustment of the front setback fencing standards required by Coastal Zone Land Use Ordinance Section 23.04.190(c) to allow a solid 6 foot tall wooden fence is justified because: the proposed fencing will not exceed 6'6" in height; the taller fencing is necessary to provide usable open space away from the creek and riparian habitat; the as-built fencing does not currently block visibility of the residence's front entrance from the street; and the Public Works Department has reviewed the project and determined that, as conditioned, it will not impair safe sight distance for vehicle traffic.
- O. Adjustment of the riparian setback standard required by Coastal Zone Land Use Ordinance Section 23.07.174(d) the replacement garage to be setback 10 feet from the upland edge of the riparian vegetation is justified because alternative locations and routes for the proposed replacement garage are more environmentally damaging and, as conditioned, adverse environmental effects will be mitigated to the maximum extent feasible. The adjustment is the minimum necessary to allow a principal permitted use of the property because the proposed replacement garage would be sited as far away from the riparian corridor as possible without encroaching into the front setback and because locating the replacement garage elsewhere on the property would result in new site disturbance within the creek setback area.

***Coastal Access***

- P. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.